



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

**STATE OF DELAWARE
BOARD OF GEOLOGISTS**

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: DPR.DELAWARE.GOV
EMAIL: customerservice.dpr@state.de.us

PUBLIC MEETING MINUTES:	Board of Geologists
MEETING DATE AND TIME:	Friday, March 10, 2017 at 10:00 a.m.
PLACE:	861 Silver Lake Boulevard Cannon Building, Second Floor Conference Room B Dover, Delaware 19904
MINUTES FOR APPROVAL:	May 12, 2017

MEMBERS PRESENT

William "Sandy" Schenck, President, Professional Member
Steven Smailer, Vice-President, Professional Member (departed at 11:03 a.m.)
Douglas Rambo, Secretary, Professional Member
Judith Nicholas, Public Member
David Reinhold, Professional Member

MEMBERS ABSENT

Kenneth Dryden, Public Member
Maureene LaFate, Public Member

DIVISION STAFF

Meredith Hurley, Administrative Specialist II
Eileen Kelly, Deputy Attorney General

CALL TO ORDER

Mr. Schenck called the meeting to order at 10:08 a.m.

CONDUCT DELIBERATIONS FROM PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO BOARD'S RULES AND REGULATIONS

The Board held their deliberations from the February 10, 2017 public hearing regarding the proposed amendments to the Board's rules and regulations. There were no additional comments received. Mr. Rambo moved, seconded by Mr. Reinhold, to accept the proposed amendments as previously published. The motion carried unanimously. Ms. Kelly presented the Order for Board member signatures.

REVIEW AND APPROVAL OF MINUTES

Mr. Smailer moved, seconded by Ms. Nicholas, to approve the February 10, 2017 meeting minutes as written. By unanimous vote, the motion carried.

UNFINISHED BUSINESS

Stamp & Seal Requirements for State Employees

Mr. Smailer asked if a professional geologist noticed subpar work from a professional engineer if a complaint can be filed with DAPE for that person acting outside of their scope of practice. Ms. Kelly advised that a complaint could be made on a case by case basis.

Mr. Smailer stated that if a PE or a PG were found to have done work in an incompetent manner that they should be reported to their appropriate board. He would like to see this topic added to the next newsletter that goes out.

Mr. Smailer also stated that if a correction is made to a work plan that it should be resealed by the person making the correction. The Board agreed as this is the practice of Geology.

Mr. Smailer said he would draft a letter from DNREC to the Board regarding this issue and have it available for the next meeting.

Mr. Schenck advised that the Board needs to keep a neutral stance on this issue.

This topic will remain on the agenda for the next meeting.

Discussion of Engineer Exemption

Ms. Kelly spoke with the DAG from DAPE about the Memorandum of Understanding. Their DAG was not familiar with it as it was written roughly thirty years ago.

Ms. Kelly stated that MOUs are not being done anymore so rewriting one is not an option.

Ms. Kelly stated that the actual exemption is very broad. It states that if a professional engineer is doing geological work and does something wrong they cannot be charged with unlicensed practice for geology. This is basically complaint-driven.

Mr. Rambo stated the current president of DAPE is willing to talk to the Board if they are willing to continue this discussion.

This topic will remain on the agenda for the next meeting.

NEW BUSINESS

Review of Applications by Reciprocity

Mr. Schenck moved, seconded by Mr. Smailer, to grant licensure by reciprocity to Claude Vandever. By unanimous vote, the motion carried.

Review of Post-Renewal Continuing Education Audit

Mr. Schenck moved, seconded by Mr. Rambo, to approve the audits reviewed with the exception of two that needed more information and two that the Board did not have time to review. By unanimous vote, the motion carried.

The Board will review the remaining audits at their next scheduled meeting.

CORRESPONDENCE

Mr. Yancheski wrote a letter to the Board asking for them to consider self-attestation for proof of attendance with continuing education courses.

Ms. Kelly advised that the regulations clearly state that proof of attendance is required when a licensee is audited. She stated that there are different things that licensees can do to provide attendance beyond the normal certificates. They can get copies of the sign-in/out log at a field trip site or submit photos. All audits are done on a case by case basis.

Mr. Smailer argued that there are too many abuses with continuing education documentation in the low number of audits to allow for this.

Mr. Smailer moved, seconded by Mr. Rambo, to allow Mr. Schenck to draft the response letter for Mr. Yancheski. By unanimous vote, the motion carried.

OTHER BUSINESS BEFORE THE BOARD (For Discussion Only)

Ms. Hurley read an email sent from Ms. Lafate stating her desire to return to the Board after her new job has settled down.

PUBLIC COMMENT

There was no public comment.

NEXT SCHEDULED MEETING

The next meeting is scheduled for May 12, 2017 at 10:00 a.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business before the Board, Mr. Reinhold moved, seconded by Ms. Nicholas, to adjourn the meeting at 12:04 a.m. The motion carried unanimously.

Respectfully submitted,



Meredith Hurley
Administrative Specialist II